WOULD TREAT JURIES BEITER

SUGGESTION MADE AS A RESULT OF THE THAW TRIAL.

The Case Likely to Lend Weight Also to the Arguments in Favor of State Paid Experts in Insanity-The "Unwritten Law" Plea a Failure in Tals State.

The Thaw trial has suggested forcibly to some members of the New York bar the need of changes in our criminal law

Perhaps the most likely field for reform is the treatment to which the jury in a murder case is subjected Take the case of the Thaw jury. It left the court room at 5:15 Wednesday afternoon, went out to dinner an hour or so later, returned to the jury room at 8 30 and did not leave it until breakfast time next morning. Returning again, the twelve men remained locked up until dinner time, when they again went to a hotel for an hour's stay. This was done the next morning at breakfast time and they did not again leave the jury room until they entered the court room for the than three or four hours sleep in all the two days. None of them had his clothes none of them had a bath and when they were able to sleep they had to do so on the top of a table or sitting in chairs. Twenty-four hours of this sort of thing

This feature of the trial was discussed yesterday by a man who has occupied a most important place in the prosecution of Harry K. Thaw for the murder of Stanford White and who will certainly do so on the second trial.

is enough to reduce the average man to

irritability. Forty-seven hours of it is

enough to make the most amiable man

pervous, irascible and, what is worse from

the point of justice, unreasonable and

"The manner in which we treat our juries, said this man, "is nothing less than stupidcriminally stupid. It is the result of long years of custom, and I can very well understand why a presiding Judge should hesitate about starting any innovations in this line. You know there is for the average Judge no bogie like the fear of being reversed by a higher court. His life is one long worship of precedent and he isn't going to take any chance of being reversed if he can possibly avoid it. It is therefore perhaps too much to expect that any trial Judge in a murder case is going to make any radical change in the custom of handling juries after they are locked up unless he is distinctly authorized to do so by the law. At present the matter is entirely within the discretion of the Court, but the Court is as a rule walking carefully within the narrow hedgerows of conventionality and custom.

"Is there any reason why, merely because twelve men have undertaken to decide an issue of the gravest importance that can come before a jury, an issue involving a human life, that they should be subjected to every hardship that can be inflicted mon them short of absolute starvation? If there is, I would like to he ar somebody

If there is, I would like to he ar somebody state it.

"What reason is there to expect a jury to apply the process of cold, calm and intelligent reasoning to a mass of complicated and conflicting evidence, like that submitted in the Thaw case, when every man of the twelve is weary almost beyond endurance, when every nerve is rasped by hours of heated argument, when temper is inflamed by persistent and ofttimes violent opposition? I say deliberately that if we should search with all our skill for some method of insuring unsatisfactory verdicts from our juries we could not devise one better adapted to such an end than the one under which we are now operating.

"The whole thing is intolerably stupid, I contend.

I contend.

"I know of no good reason why the Thaw jury, or any other jury, should not have been allowed to go to a hotel every night.

There they could have had eight or nine hours of refreshing sleep and an invigorat-ing bath. They would have come back to the jury room all the better prepared to use their brains intelligently and effectively. The interests of no human being would suffer in the slightest and justice would be forwarded."

That this view is held by at least two members of the Thaw jury is certain. One of them said:

"I once was a member of a camping party."

"I once was a member of a camping party ip in the Maine woods. Soon after we got nto camp it began to rain. It rained steadily for a week. It seemed as if the heavens had been open for all time. There were eight men in the party, not counting three guides. We couldn't go out for any length of time. All there was to do was to sit in the cabin and play cards or checkers, tell stories, sleep and eat. We were all on excellent terms when we went into camp, but we hadn't been there three days leafers. but we hadn't been there three days before but we hadn't been there thick at the end everybody was quarrelling. At the end of the fourth day there wasn't anybody of the anybody else. We

of the fourth day there wasn't anybody who would speak to anybody else. We hated the sight of each other.

"All the men in that party are still my good friends. We got over it as soon as the weather cleared. It was a good deal so while we were in session in the Thaw case. We were tired and weary and anxious and intolerably sleepy. We all wanted to do our duty as we saw it, but it made us diagusted that we could not induce every. disgusted that we could not induce every-body to see the matter as we saw it. This under the strain of endless argument and bodily weariness simply drove everybody into a condition of obstinacy which, I am afraid, was in some cases unintelligent.

After twelve men have been sitting in one

After twelve men have been sitting in one small room for two days arguing they are not in the best condition to be reasonable. Hence the bitterness that developed between certain of the Thaw jurors, a bitterness which, I am sorry to say, remained to the end of our long vigil.

The outcome of the Thaw case and the news that came from the jurors after they were dismissed are likely to furnish arguments to back up the proposal of Dr. Allan Molane Hamilton that all medical expert testimony as to insanity shall be given by a State commission which shall hold office permanently and be paid entirely by the State. The Thaw jurors seem to have paid relatively little attention to the expert testimony submitted by both sides during the trial. It was absolutely contradictory, as it nearly always is. Consequently they as it nearly always is. Consequently they threw it out and each man made up his mind as to Thaw's sanity upon the basis of the defendant's acts and writings as they appeared to him.

It now appears likely that it will be many a year before any lawyer defending a client accused of murder will be so rash as to throw accused of murder will be so rash as to throw overboard in his summing up all the defences that are made acceptable by the law of the State and appeal instead to the so-called higher or "unwritten" law. All the accounts agree that the Thaw jury voted from the start to finish upon their respective beliefs as to whether Thaw was or was not insane when he shot Stanford White and upon nothing else whatever.

Public attention has been called by this now celebrated case to the gross inconsistencies existing between the medical and the legal views of insanity. For example, it appears that Thaw might have been in a condition which alienists would call insane when he shot White and yet have been

condition which alier lists would call insane when he shot White and yet have been perfectly sane from the law's point of view. A paranoiac, for example, is a man who suffers from more or less systematized delusions. Such a man might be perfectly capable of knowing what he was doing and that it was wrong. Yet no expert could possibly call him a sane man. But a still more curious state of affairs is revealed by considering the fact that the law requires perfectly different standards of sanity at the time of the commission of the crime and at the time of the trial. At the time a crime is committed a sane man in the eyes of the law is one who understands the nature and quality of the act man in the eyes of the law is one who understands the nature and quality of the act and that it is wrong. But the law's view of a sane man at the time of his trial is merely that he shall be capable of advising his counsel properly in the conduct of his trial. And that was the scope of the in-

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Announce for This Week

An Important Sale of

Women's Suits

The importance of this sale is in the fact that we are offering

High-Class Tailored Suits,

many of them exact reproductions of foreign models and in all cases exclusive styles,

At One-Third Less Than Present Values.

of French Voiles, Taffeta Silks, Imported Serges

\$50.00

Real worth, \$75.00

Suits of French Serges, Voiles, Chiffon Cloths, Rajahs and Silks, in the new Kimono Etons and 3 piece models, in all the new spring shades, including pastel shades,

\$75.00

Real worth, \$100.00.

Attention is also directed to our Popular Priced Suits

\$30.00, \$35.00 and \$40.00 per suit. The largest variety and best values ever offered.

Special Note.

We make a specialty of suits and gowns in large sizes, 42 and 44 hust

Girls' Clothing Dept.

Will continue for Monday the balance of our special sale of 500 Girls' New Spring Coats

\$5.00, \$7.50, \$10.00 and \$12.00 Real Values \$7.50 to \$20.00.

Girls' and Misses' Suits

14 to 18 year sizes. A collection of 100 Tailored Suits in Junior Sizes, in the new coat models, made of Fancy Mixtures, Serges and Panamas,

\$25.00

Real Value \$30.00.

Special Offering for Monday of

Women's Waists

Consisting of

Cluny Lace Waists

with hand-made yokes, made over silk.

Crepe de Chine Waists

Various colors made over silk.

Jap Silk Waists

with hand-made lace yokes and Val. lace

Fancy Waists

About 75 single piece waists in Laces, Silks, Messalines, &c., &c.

Broadway and 20th St., 5th Av., 19th St.

quiry of the lunacy commission that de-clared Thaw sane. By its finding this com-mission declared only that the defendant was capable of properly advising his counsel

It is well known that a paranoiac is often perfectly and eminently sane upon eve y other subject but the one delusion that afflicts perfectly and eminently sane upon every other subject but the one delusion that afflicts him. So long as you do not start him on that subject you will never discover that he is not normal. So long as that is the case the man is sane, but no man who is likely, if conditions are right, to be suddenly transformed from a cool, logical, normal human being into a homicidal maniac can possibly be called sane. Yet this, it is asserted on good authority, is the kind of insanity Mr. Jerome's experts believed Thaw to be suffering from.

There is good ground for believing even now that if the Thaw jury had returned a verdict of murder in the first degree, as seven of them desired to do, the prosecutor, actuated by this belief of the experts he employed, would have done everything he possibly could to prevent the prisoner from being put to death.

JERSEY HARVARD MEN DINE, President Ellot, the Guest of Honor, Gets Ovation-Teast to Roosevelt.

President Eliot of Harvard University was the principal speaker at the banquet of the Harvard Club of New Jersey in Etter's restaurant in Newark last night, St. Etter's restaurant in Newark last night. There were 100 members and guests present from various parts of the State. Camillus C. Kidder of East Orange was toastmaster. He is a graduate of the class of '72. The banquet hall was decorated with the crimson banquet hall was decorated with the crimson of Harvard and the national colors. Before introducing the speakers Toastmaster Kidder proposed a toast to President Roosevelt, which was drunk standing. It was followed by a lively college cry. When President Eliot was introduced he got an ovation. The other speakers were Prof. Byron S. Hurlbut, John Reynolds, Wilson Farrand, Hendon Chubb and Prof. William Davis.

ARRESTED AS EMBEZZLER. Insurance Company Bookkeeper to Be Ex-

tradited From New Jersey. Alfred N. Hild, a bookkeeper in the local branch of the Northern Insurance Company of Aberdeen, Scotland, was arrested yesterday at his home on a small farm at Mountain View, N. J., on a warrant sworn out before Magistrate Wahle, which charges him specifically with the embezziement of \$81 from his employers on April 6.

According to Detective Sergeant McCafferty, who arrosted Hild, the bookkeeper has embezzied a total of about \$2,000 since his employment by the insurance company seven months ago. The prisoner was taken before Recorder Carroll in Paterson and released on \$1,000 bail to await branch of the Northern Insurance Com-

son and released on \$1,000 bail to await extradition proceedings.

CIRCUS LONGS FOR TENT LIFE.

\$10.00

Values

\$17.50.

MEN AND ANIMALS. THEY LIKE

THE CANVAS BETTER. Welcome the Move From the Enclosed Madison Square Garden - Veterans of the

ful-Elephants Particularly Happy.

Show Who Prove That Tents Are Health-

The circus folk, all the jungle creatures and the trained domestic beasts are chafing at Madison Square Garden under the restraint of metropolitan life. The spirit of the nomad is stirring within them. In the spring the showman's fancy fondly turns to thoughts of canvas. As Slivers, the clown, put it, they prefer life afield because the enjoyment is more "in tents." Dexter Fellows, the assistant word painter

of the show, says that bad as this is it is

original with Slivers. There is not a man in the circus nor an animal in the menagerie that does not feel better when the show gets started on the road. It breaks up here on Saturday and goes to Reading, Pa. Already the canvasmen are there putting up what they call the "tops." The main tent is the "big top" and the side show the "little top. Every bit of canvas is brand new and parafined to preserve it and keep out the wet.

The call of the tents, as Mr. Fellows puts it, is one of the strongest feelings of the circus man and woman. It particularly affects the veterans. A woman of more than 45, who does a somersault on horseback and has been with circuses since her girlhood, said she did not feel at home under a roof and that she could ride better and with more confidence under canvas. The audience was closer to her and the appreciation heartier. One could not have

the real circus sensation except in a tent. The boss canvasman, Charles McLean, The boss canvasman, Charles McLean, who is 70 but as clever as he ever was, says that the health of all the hands is better and the moral tone higher when they are living under canvas. Most of the circus people drink sparingly of spirits. Although the rapid work of pitching the tents and taking them down requires an expenditure of great nervous and muscular energy, it appears to be beneficial to the workers. Some of the old fellows, and there are many of them connected with the show, attribute their ruggedness to their nomadic life. There are seven men who are more than 60 years of age and three more than 70. Dan Taylor, master mechanic, and Frank Hyatt, wagon master, are among the latter. Hyatt, wagon master, are among the latter. George Conklin, boss of the menagerie, is

Silk Petticoats

in White, Black, Black and White and all the new Spring shades in best quality taffeta; 37, 39, 42 inches long,

Lord & Taylor

Monday, April 15th.

Special Sale of

Silk Petticoats, Kimonos.

Infants' Wear and

Lingerie Waists

\$5.95, \$6.95, \$8.75

Kimonos & House Gozens

Long Kimonos In Flowered Lawn.....\$1.75 In Flowered Dotted Swiss and Striped In Flowered Silk\$5.45

Short Kimonos In Flowered Dotted Swiss and Striped Organdie.....98c In Dotted Swiss, trimmed with Val. lace and ribbons\$1.95

House Gowns In Flowered Dotted Swiss.....\$3.95, \$4.50

Lingerie Waist Dept.

One special lot of Handsome Lingerie Waists

\$5.75 to \$25.00, value \$9.75 to \$40.00

Infants' Dept.

Domestic Dresses. 6 mos. to 2 1/2 yrs., at 45c., 75c., 98c., \$1.25

Lingerie Hats, 2 to 4 yrs.....\$1.95

Imported Hand Embroidered Piqué Sun-Bonnets at 75 cts.

> Lawn Caps from 3 mos. to 2 yrs., 65c., 85c., 98c.

Broadway & 20th St.; 5th Ave.; 10th St.

68. There are many who are past 50. The "vpsylike life especially pleases the performers, who come from old circus families and who have a strong hereditary love for it. The traditional is dear to them.

Naturally there is a special bed and a taller tent for Augur, the giant, and the embonpoint of Marie, the fat lady, is stowed away under a "top" of much latitude and little longitude. The freaks like the tent life almost as much as the bareback riders and the clowns. With an audience so close that the clowns feel assured of having their that the clowns. With an audience so close that the clowns feel assured of having their jests heard and approved, they naturally prefer the tents to the Garden, where persiflage is lost in the spaces or drowned by the noises of the outside world and the show itself.

show itself.

None of the animals enjoy tent life more than the elephants. They like the outer air and often trumpet their delight in their walks to and from the trains. Like the humans of the show the animals are sprightlier and healthier when on the road. Speck, the fat little pony, loses some of his avoirduncts in his constant gambeling and the the fat little pony, loses some of his avoirdupois in his constant gamboling, and the
trick donkey that is made up to look like
a Spanish bull kicks his heels higher and
does his tricks with more zest than he displays at the Garden. The animals seem
to know that the date of their open air life
is approaching and they manifest the
knowledge by restlessness.

The people of this neighborhood will not
have a chance to see the show under tents
this season. Brooklyn will be omitted
from the route.

LIGHT UP HOUSE AND ROB IT. Burglars Make a \$5,000 Hanl While the Owner is Away-Pictures Cut Out. The home of Miss Margaret Hughes, sister of William E. Hughes, who died while running for a Supreme Court Justiceship last fall in Brooklyn, was robbed
some time on Friday night of about \$5,000
worth of paintings, jewelry and silver.
Miss Hughes is at present visiting relatives
in Scranton, Pa., and in her absence left
her house at 67 Fort Greene place vacant
Late Friday night Mrs. Henry F. Haggerty, wife of the former deputy Police
Commissioner, who lives at 28 South Elliott
place, and Mrs. Charles Johnson, of 54
South Elliott place, noticed that Miss
Hughes's house was lighted from top to
bottom. Knowing that Miss Hughes was
a way Mrs. Haggerty called up the police
of the Classon avenue precinct and notified
them that there was some one in the house.
The reserves were hustled around and
found that the thief or thieves had entered
by the rear parlor window and had gone
over the entire house. Six oil paintings
had been cut from their frames and a quantity of jewelry and silverware had been
siken. The intruders escaped. while running for a Supreme Court Justice-

WOMEN DEMOCRATS DINE. Bird S. Coler and Lieut.-Gov. Chanler Were

Awaited, but Didn't Arrive. The Woman's Democratic Club of the city of New York held its second annual banquet last night in the ballroom of the Hoffman House. It was described on

the menu cards as a "celebration of the birthday of Thomas Jefferson." The speakers made a desperate effort to say something about Thomas Jefferson that no one else had thought of. Mrs. Ellen Staples of the Democratic Club of Hoboken recited a poem, and so did Mrs. Sullivan Mr. Dawson, the single tax theorist, made a few remarks.

The club, however, looked anxiously for Bird S. Coler and Lieut.-Gov. Chanler, whose names were prominent on the programme. Mr. Crosby said something about Jefferson. Again heads were turned toward the place from which Mr. Coler and Lieut.-Gov. Chanler were expected to

The Countess Spottiswood Mackin read extracts from her own book, "A Society Woman on Two Continents." Even this did not serve to content those who yearned to gaze upon the countenances of Lieut .- Gov Chanler and Mr. Coler. At this point the hand played "Dixia"

and Mrs. John S. Crosby, president of the club, introduced the Hon. Charles F. Moore He defined the boundaries of Dixie as the Republican party on the north, the Dingley tariff on the east, the Monroe doctrine on the south and Standard Oil on the west. The remainder of his speech consisted of poetical allusions to the birds, the flowers, poetical allusions to the birds, the flowers, the songs and the girls of the Sunny South. It was all very fine, but where was the Hon. Bird S. Coler? Where was the Liteutenant-Governor? Nobody knew, so Mrs. Crosby introduced Mrs. Frederick Nathan, president of the Consumers' League, who took as her subject the passing of political principles. As regarded Thomas Jefferson, she confessed that she knew more about Joseph. She then took up the suffrage question and scored those women heavily because they didn't wish to vote themselves and worked against their more enlightened sisters who were striving for the ballot. Since the men of both the Democratic and Republican parties stood for "taxation without representation," Mrs. Nathan concluded she felt that she could not conscientiously affiliate herself with either. Still Mr. Coler and Mr. Chanler were

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The City or Country Home for which you are seeking appropriate Floor Coverings, can now be most attractively furnished under Money Saving conditions of a most unusual character.

Mattings in a wide range of figures and colorings.

Oshkosh and Crex Grass Carpets & Rugs in appropriate color shades.

Kashmir Rugs in unusually handsome designs and appropriate color shades for Sum-

China and Japan | Mourzouk Mats, especially desirable for veranda service.

Domestic Rugs of every conceivable weave, style and coloring, especially adapted to Summer Furnishings, in all sizes.

Oriental Rugs in all weaves and sizes from the smallest mat to the largest size carpet, every one of which has been selected for mer Furnishings, all sizes I its own particular merit.

We call Special Attention to the following:-350 Fine Antique Mousouls regularly sold at \$15 to \$25, will be sold this week

at \$10.50, \$12.50, \$15.00, \$17.50 each

450 Fine Antique Daghestans regularly sold at \$15 to \$35, for this week only at \$12.50,\$15.00,\$17.50,\$20.00,\$25.00

The attention of those desiring Carpets is directed to the exceptionally choice lines of Wilton Velvets and Velvets being displayed.

Wilton Velvets regularly sold at\$1.65 yd | regularly sold at\$1.25 yd at \$1.15

Velvets at 92½ cts.

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Women's Silk Stockings

of purest dye and finest texture-a multitude of neat, bright, graceful, quiet designs, with embroidered and openwork effects, ever changing and always beautiful, at popular prices.

Plain Black Silk Hose with or without cotton soles \$1.15 upward

Colored Silk Hose Plain White & Colored Silk Hose. \$1.35 upward

Openwork Silk Hose White, Black and Colored Openwork Silk Hose...... \$1.95 upward

Embroidered Silk Hose

Black Embroidered Silk Hose...\$2.25 upward

Lisle Thread and Cotton Hose Plain Black Lisle, in gauze and medium weights, openwork instep, allover openwork and Richelieu ribbed; plain black mercerized and some colored Hose, plain black cotton in a variety of weights and 35c., 3 pairs for \$1.00

Women's Shoe Dept.

Now Showing Especially Smart Spring Footwear in Several Shades of Tan and the New London Smoke Gray, also Many Very Beautiful combinations.

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offers the "Orthopedic," the best shape shoe for the growing foot, in all the desirable styles and leathers, at the lowest possible prices consistent with good leather and workmanship.

Broadway & 20th St.; 5th Ave.; 19th St.

consplctious by their absence, and the president introduced Mrs. Alice Fisher Harcourt, who took Thomas Jefferson very striously indeed and explained to the audie ence just what he had done for the country. Mrs. Harcourt was followed by William Hepburn Kussell, who said a great many nice things about women, and some

mean things about "centralization and railroads." Tailroads."
Those at the speakers' table were Miss Sara J. J. McCaffrey, Mrs. Alice Fisher Harcourt, Mrs. Fred B. Nathan, Judge Moore, Mrs. John S. Crosby, Mrs. Compton, William Hepburn Russell and Countess Spottiswood Mackin.